

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

MEMORANDUM

TO: COMMERCE, INSURANCE AND ECONOMIC DEVELOPMENT TASK FORCE MEMBERS
FROM: COURTNEY O'BRIEN, TASK FORCE DIRECTOR
DATE: MARCH 31, 2011
RE: 35 DAY MAILING—2011 SPRING TASK FORCE SUMMIT

The American Legislative Exchange Council will host its 2011 Spring Task Force Summit **April 28-29** at the **Hilton Cincinnati Netherland Plaza in Cincinnati, Ohio**. The Hilton Cincinnati Netherland Plaza has extended the hotel reservation cut-off deadline until April 6th (register [here](#)).

The Commerce, Insurance and Economic Development Task Force will meet in **Room Caprice 2&3** from **12:30 – 5:00 pm** on **Friday, April 29th**. From 12:30-1:30 pm we will join for a Task Force luncheon, followed by our Task Force meeting.

The Task Force meeting will convene from 2-5pm to discuss the proposed *Resolution in Support of the Transportation Infrastructure Finance and Innovation Act* and the *State Council on Competitive Government Act*. We will also hear presentations on topics such as: solutions for rebuilding states with competition, current trucking industry policy and productivity, transportation reauthorization, and top insurance issues facing the states.

Please find the following materials enclosed:

- CIED Task Force Overview
- STFS Agenda-at-a-Glance
- Task Force Meeting Tentative Agenda
- 2010 States and Nation Policy Summit Minutes
- Draft Model Legislation
- Task Force Roster
- ALEC Mission Statement
- Scholarship Policies by Meeting
- ALEC Task Force Operating Procedures

I look forward to seeing all of you in Cincinnati, Ohio! If you have any questions or comments regarding the meeting, please contact me at 202-742-8504 or by e-mail at cobrien@alec.org.

Sincerely,



Courtney O'Brien
Commerce, Insurance and Economic Development Task Force Director

Commerce, Insurance, and Economic Development Task Force

2011 Overview

www.alec.org/commerce

Task Force Mission Statement:

Members of the Commerce, Insurance, and Economic Development Task Force believe that economic freedom is the cornerstone of our prosperity. The Task Force develops policies that enhance competitiveness, promote employment and economic prosperity, encourage innovation, and limit government regulation imposed upon business. The Task Force develops model legislation to facilitate the implementation of these policies in the states and educates ALEC members through Task Force meetings, issue briefings, policy papers, and special workshops.

Public Sector Chair: Rep. Glenn Vaad, *CO*

Private Sector Chair: Mr. Emory Wilkerson, *State Farm Insurance*

Executive Committee Members:

To be appointed March/April 2011

Task Force Subcommittees:

- Financial Services
- Labor and Business Regulation
- Transportation and Infrastructure

Issue Areas:

- Affordable Housing and Economic Development
- Business and Entrepreneurship
- Employment Policy and Regulatory Reforms
- Financial Services and Consumer Banking
- Pensions and Retirement
- Property and Casualty Insurance
- Trade and Transportation
- Workers' Compensation Reform
- Workers' Rights and Labor Union Reforms

Recent Model Legislation:

The Hurricane Mitigation Promotion Act - This Act creates an annual "Hurricane Mitigation Week," in which the Governor calls on individuals, business owners, and commercial property owners to prepare for the hurricane season, and to urge county and municipal governments to help citizens prepare as well.

Traffic Incident Quick Clearance Act - This Act establishes the duties of drivers when approaching traffic incidents, the expedited removal of vehicles from an incident, the liability protection for authorized clearance functions, and compensation for incident removal costs.

Business Exit Interview Act – This Act requires [insert state]’s Department of Development to compile a report of companies that relocated out of [insert state] and to attempt to determine the motivation behind the relocations.

Future Direction for Task Force:

The future of the Task Force will be driven by our membership, the political climate, and the top policy issues of the day. The formation of the three new subcommittees presents an exciting opportunity within the Task Force to specialize in certain issues: Labor Reform, Card Check, Financial Regulation, Foreclosures, Emergency Preparedness, Franchise Laws, Business Regulation, etc.

Meeting Dates:

Spring Task Force Summit, Cincinnati, OH
April 28-29, 2011

ALEC’s 38th Annual Meeting, New Orleans, LA
August 3-6, 2011

States & Nation Policy Summit, Scottsdale, AZ
November 30-December 2, 2011

Task Force Publications:

Commerce, Insurance, and Economic Development Issue (Inside ALEC, 2010,
http://www.alec.org/AM/PDF/InsideALEC/InsideALEC_May10_Final.pdf)
Access to Credit Means Access to the American Dream (State Factor, 2008)

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2011 ALEC Spring Task Force Summit

Tentative Agenda as of March 2011

Thursday, April 28

Registration 1:00 p.m. - 5:30 p.m.

Friday, April 29

Registration 8:00 a.m. - 4:00 p.m.

ALEC Joint Board of Directors Meeting 8:00 a.m. - 12:15 p.m.

Task Force Subcommittee Meetings 8:00 a.m. - 11:00 a.m.

Workshop: Budget Transparency 11:00 a.m. - 12:15 p.m.

Task Force Meetings 12:30 p.m. - 5:00 p.m.

- Civil Justice
- Commerce, Insurance
and Economic Development
- Education
- Energy, Environment and Agriculture
- Health and Human Services
- Public Safety and Elections
- Tax and Fiscal Policy
- Telecommunications
and Information Technology

Spring Task Force Summit Reception 5:00 p.m. - 6:30 p.m.

Board of Directors Dinner 7:00 p.m. - 9:00 p.m.

(by invitation only)



**Commerce, Insurance & Economic Development Task Force
2011 Spring Task Force Summit
April 29, 2011
2:00 pm – 5:00 pm**

Tentative Agenda

- | | |
|---|--------------------|
| 1. Call to Order | 2:00 PM |
| Attendance | |
| Approval of Minutes | |
| Introduction of New Members | |
|
2. Model Legislation and Presentations | |
| Presentation: Rebuilding Our States with Free Enterprise and Open Competition (20) | 2:30 PM |
| Mr. Andy Conlin, <i>Associated Builders & Contractors</i> | |
|
Presentation: Trucking Industry Policy and Productivity Update (20) |
2:50 PM |
| Mr. Randy Mullet, <i>Con-way</i> | |
|
MODEL LEGISLATION | |
|
<u>“A Resolution in Support of the Transportation Infrastructure Finance and Innovation Act”</u> |
3:10 PM |
| Mr. Geoff Segal, <i>Macquarie Capital USA</i> | |
|
Presentation: Transportation Reauthorization (15) | |
| Dr. Adrian Moore, <i>Reason Foundation</i> | |
|
Presentation: Oklahoma Insurance Issues (15) | |
| Rep. Mike Thompson (RET), <i>Oklahoma Insurance Department</i> | |
|
<u>“State Council on Competitive Government Act”</u> | |
| Mr. Leonard Gilroy, <i>Reason Foundation</i> | |
|
3. For the Good of the Order |
4:50 PM |
| 4. Adjournment | 5:00 PM |

American Legislative Exchange Council
Commerce, Insurance, and Economic Development Task Force
2010 States and Nation Policy Summit
December 3, 2010

Attendees:

Public Sector (19)

Rep. Susan M. Lynn, *Tennessee* (Public Sector Chair)
Rep. Alfred Camillo, *Connecticut*
Rep. Gary Chism, *Mississippi*
Del. John Cosgrove, *Virginia*
Rep. Gary Daniels, *New Hampshire*
Rep. Jerry Dockham, *North Carolina*
Rep. Mark Formby, *Mississippi*
Rep. Brian Gosch, *South Dakota*
Rep. Peter S. Illoway, *Wyoming*
Rep. Jim Kasper, *North Dakota*
Rep. Andrew Koenig, *Missouri*
Rep. John McComish, *Arizona*
Sen. Walter Michel, *Mississippi*
Sen. Dennis Nolan, *Nevada*
Rep. Dawn Pettengill, *Iowa*
Rep. Barbara Sears, *Ohio*
Rep. Kip Smith, *Georgia*
Rep. Fred Steen, *North Carolina*
Rep. Glenn Vaad, *Colorado*

Private Sector (17)

Derek L. Crawford, *Kraft Foods, Inc.* (Private Sector Chair)
Eli Lehrer, *The Heartland Institute* (Advisor)
Jon Burton, *Reed Elsevier*
David Christman, *National Beer Wholesalers Association*
Sean Collins, *Altria*
David Foy, *Reed Elsevier*
Eric Goldberg, *American Insurance Association*
Kelly Hobbs, *Bank of America*
Bradley Kading, *The Association of Bermuda Insurers & Reinsurers*
Mike Komashka, *Reynolds American Inc.*
Adrian Moore, *Reason Foundation*
Ted Scott, *American Trucking Association*
Gregory Segal, *Macquarie Capital USA*
Patrick Thomas, *UPS*
Joann Waiters, *ACLI*
Emory Wilkerson, *State Farm Insurance Companies*
Joe Woods, *Property Casualty Insurers*

Guests (11)

Ruth Ahlemeier, *OEM Logistics*

Dianne Bricker, *AHIP*

Carrie Clayton, *Cerner*

Chris Coleman, *NCA*

Sarah Friederich, *IHS*

Rep. Norine Kasperik, *Wyoming*

Rep. Kim King, *Kentucky*

Rep. Stephen LaRoque, *North Carolina*

Robert Lewis, *CFSA*

Rep. Justin Olson, *Arizona*

Rep. Gene Suellentrop, *Kansas*

I. Preliminaries

The task force approved the minutes of the August meeting by a unanimous voice vote.

II. Presentations

1. Panel: “Franchising 101” with Ms. Amy Nichols, *Dogtopia*, and Mr. David French, *International Franchise Association*
2. Update on Labor Issues with Mr. Robert Graham, *RG Capital LLC* and U.S. Representative Tom Graves (GA)
3. Announcement of three new CIED subcommittees by Mr. Michael Hough, *Task Force Director* (Financial Services, Labor and Business Regulation, & Transportation and Infrastructure)
4. Update on Public-Private Partnerships with Mr. Emory Wilkerson, *State Farm Insurance Companies*

III. Consideration of Model Legislation

1. “The Devolution of State Highway Systems Study Act” – by Rep. Glenn Vaad, *CO*

Bill concerning a study of the options for devolution of state highways that are commuter highways to local governments.

Motion to adopt the model legislation; passed public sector; passed private sector. **Bill Passed.**

2. “The Hurricane Mitigation Promotion Act”- by Mr. Alan Smith, *The Heartland Institute*

This Act creates an annual “Hurricane Mitigation Week,” in which the Governor calls on individuals, business owners, and commercial property owners to prepare for the hurricane season, and to urge county and municipal governments to help citizens prepare as well. Also, the Act creates a Special Advisory Commission on Hurricane Mitigation to evaluate and strengthen the state’s preparedness for hurricanes. Finally, the Act enacts a state sales tax exemption on portable generators and other hurricane preparedness equipment during Hurricane Mitigation Week

Amendments in order of introduction:

- 1) Line 34, strike: “sale, marketing...home improvement products” and insert: “retrofitting of homes to better withstand hurricane losses,”
- 2) Line 43, strike: “Lower” and insert: “Upper”
- 3) Line 54, insert: “/landuse policies” following “around the state”

Motion to pass Amendments (1) and (2); passed public sector; passed private sector. Amendments passed.

Motion to pass Amendment (3); passed public sector unanimously; passed private sector unanimously. Amendment passed.

Motion to adopt the model legislation as amended (Amendments 1-3); passed public sector; passed private sector. **Bill Passed.**

3. “Insurance Compact Enabling Act”- by Dr. Byron Schlomach and Mr. Nick Dranias, *Goldwater Institute* – **Withdrawn by Sponsors.**

IV. For the Good of the Order

V. Adjournment

1 **DRAFT Resolution in Support of the Transportation Infrastructure**
2 **Finance and Innovation Act**

3
4 *Summary*

5
6 This Resolution urges Congress to continue and work to expand the program created
7 under the “Transportation Infrastructure Finance and Innovation Act” (TIFIA). The
8 TIFIA program remains one of the critical methods available in this country to advance
9 major transportation projects by leveraging private sector funding.

10
11 *Model Resolution*

12
13 **WHEREAS**, the “Transportation Infrastructure Finance and Innovation Act” (TIFIA)
14 program was created by the United States Congress to provide credit assistance, such as
15 low-interest direct loans to leverage scarce public funds and support projects that utilize a
16 specific local revenue stream for repayment to nationally or regionally significant surface
17 transportation projects; and

18
19 **WHEREAS**, it is in the economic interest of the State of [insert state] and the United
20 States to encourage local investment in nationally and regionally significant
21 infrastructure, create jobs in near and long term, and improve the quality of life for hard-
22 working families and businesses who rely on major highways to access employment,
23 customers, and their families; and

24
25 **WHEREAS**, TIFIA is a highly successful federal program that as of July 2010 had
26 provided financial assistance to 27 projects in 13 states and territories totaling \$7.9
27 billion, and leveraging a total project investment of \$29.4 billion; and

28
29 **WHEREAS**, TIFIA is currently oversubscribed having received more applications for
30 assistance relative to funding available under the program; and

31
32 **WHEREAS**, the TIFIA program remains one of the critical methods available in this
33 country to advance major transportation projects by leveraging private sector funding;

34
35 **THEREFORE BE IT RESOLVED**, by the Assembly and the Senate of the State of
36 [insert state], that; it is critical that Congress provide, at a minimum, the current
37 authorized level of funding to TIFIA for the upcoming fiscal year and work with the US
38 Department of Transportation to identify opportunities to expand TIFIA; and

40 **BE IT FURTHER RESOLVED**, that the Chief Clerk of the Assembly transmit copies
41 of this resolution to the President and Vice President of the United States, to the Speaker
42 of the United States House of Representatives, to the Majority Leader in the Senate, to
43 each Senator and Representative from [insert state] in the Congress of the United States,
44 to the Secretary of United States Department of Transportation, and to the author for
45 appropriate distribution.

DRAFT State Council on Competitive Government Act

Summary

Across the country there is a growing interest in making government more efficient, cost-effective, and competitive. This model legislation creates a [insert state] Council which represents key members of [insert state] leadership, with the statutory empowerment to take projects from concept to contract. The Council advances projects that reexamine the method of delivering services in ways that improve efficiency, effectiveness, and results that are relevant to citizens.

(This proposed legislation is based on the Texas statute creating the state's Council on Competitive Government, a subdivision within the Texas State Comptroller's office that specializes in innovative, enterprise-wide procurements, taking them from concept to contract: House Bill 2626 by Black, 73rd Legislative Session (1 V.T.C.A., Government Code §2162), created the Council on Competitive Government (CCG). Enabling statute for the CCG is found in [Government Code 2162](#).)

For more information, visit: <http://www.ccg.state.tx.us/>.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Definitions.}

In this chapter:

- (1) "Council" means the State Council on Competitive Government.
- (2) "Local government" means a county, municipality, special district, school district, junior college district, or other legally constituted political subdivision of the state.

Section 2. {Competition, Innovation and Creativity in State Services.}

The state shall encourage competition, innovation, and creativity among service providers to improve the quality of the state's services.

Section 3. {Composition of Council.}

(A) The State Council on Competitive Government consists of the following individuals or the individuals they designate:

- (1) the governor;

- 40 (2) the lieutenant governor [or senate president*];
41 (3) the comptroller [treasurer, auditor, or appropriate state management
42 position*];
43 (4) the speaker of the house of representatives;
44 (5) the director of the state's general services agency [or similar position*];
45 (6) the state chief information officer [or similar position*]; and
46 (7) the director of the state's workforce commission [or similar position*].
- 47 (B) The governor is the presiding officer of the council.
- 48 (C) If the speaker of the house of representatives is not permitted by the constitution to
49 serve as a voting member of the council, the speaker serves as a nonvoting member.
50
- 51 **Section 4. {Meetings.}**
- 52 (A) The council shall meet as often as necessary to perform its duties.
- 53 (B) The council is subject to:
- 54 (1) the [insert state] open meetings law [insert appropriate state chapter reference
55 on state transparency law if applicable]; and
56 (2) the [insert state] open records law [insert appropriate state chapter reference
57 on state transparency law if applicable].
58
- 59 **Section 5. {General Powers.}**
- 60 In performing its duties under this chapter, the council may:
- 61 (1) adopt a rule governing any aspect of the council's duties or responsibilities;
62 (2) hold a public hearing or conduct a study; and
63 (3) consult a private commercial source.
64
- 65 **Section 6. {Selection of Service Provider through Competition.}**
- 66 (A) The council shall identify commercially available services being performed by state
67 agencies and study the services to determine if they may be better provided by selecting
68 the service providers through competition with other state agency providers of the
69 services or private commercial sources.
- 70 (B) If the council determines that a service identified under Subsection (A) may be better
71 provided by selecting the service provider through competition, the council shall require
72 the state agency providing the service to engage in any process, including competitive

* Insert appropriate state management position. For more information on Texas' state positions on the Council, please see: <http://www.ccg.state.tx.us/background.php>

bidding, developed by the council to select a service provider through competition with other state agency providers of the service or private commercial sources.

(C) In performing its duties under this chapter, the council may:

- (1) require a state agency to conduct a hearing, study, review, or cost estimate, including an agency in-house cost estimate or a management study, concerning any aspect of a service identified under Subsection (A);
- (2) develop and require state agencies to use methods to accurately and fairly estimate and account for the cost of providing a service identified under Subsection (A);
- (3) require that a service identified under Subsection (A) be submitted to competitive bidding or another process that creates competition with private commercial sources;
- (4) prescribe, after consulting affected state agencies, the specifications and conditions of purchase procedures that must be followed by the comptroller and a state agency or a private commercial source engaged in competitive bidding to provide a service identified under Subsection (A);
- (5) award a contract to a state agency providing the service, another state agency, a private commercial source, or a combination of those entities, if the bidder presents the best and most reasonable bid, which is not necessarily the lowest bid; and
- (6) determine the terms of a contract for service or interagency contract to provide a service identified under Subsection (A).

(D) To the extent the council determines is feasible, a local government may voluntarily participate in a contract awarded by the council or a state agency under this chapter. A local government that purchases a good or a service under a contract awarded under this chapter is considered to have satisfied any state law requiring the local government to follow a competitive purchasing procedure for the purchase.

Section 7. {Cost Comparison and Contract Considerations.}

(A) In comparing the cost of providing a service, the council shall consider the:

- (1) cost of supervising the work of a private contractor; and
- (2) cost of a state agency's performance of the service, including:
 - (a) the costs of the comptroller, attorney general, and other support agencies; and
 - (b) other indirect costs related to the agency's performance of the service.

108 (B) A bid or contract that the Council determines will be likely to result in staff
109 reduction must include an analysis of health care benefits, retirement, and workers'
110 compensation insurance for a contractor's employees that are reasonably comparable to
111 the health care benefits, retirement, and workers' compensation insurance of the state.
112

113 **Section 8. {Duties of Affected State Agencies.}**

114 A state agency shall perform an activity required by the council in performing its duties
115 or exercising its powers under this chapter.
116

117 **Section 9. {Exemption from Purchasing Laws.}**

118 A contract by the council or a decision regarding whether a state agency is required to
119 engage in competitive bidding is exempt from another state law regulating or limiting
120 state purchasing or a purchasing decision.
121

122 **Section 10. {Severability Clause.}**

123

124 **Section 11. {Repealer Clause.}**

125

126 **Section 12. {Effective Date.}**

Commerce, Insurance, & Economic Development
As of 3/31/2011

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Commerce, Insurance, & Economic Development
As of 3/31/2011

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Commerce, Insurance, & Economic Development
As of 3/31/2011

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Commerce, Insurance, & Economic Development
As of 3/31/2011

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As of 3/31/2011

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As of 3/31/2011

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Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for up to a two-night stay at the host hotel are covered by ALEC.
3. Registration fees are not covered; however, Task Force Members may submit registration expenses for payment from their state scholarship account upon approval of the State Chair.
4. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
5. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
6. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.

ATTENDEE REGISTRATION / HOUSING FORM

Hilton Cincinnati Netherland Plaza -
Cincinnati, OH

Early Registration deadline is April 6, 2011
Housing cut-off date is April 6, 2011

April 28-29, 2011



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www.alec.org

Fax (credit cards only)
202.331.1344

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ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form.

REGISTRATION

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

DISCOUNTED REGISTRATION FEES are extended only to registrants booking ALEC's headquarter hotel.
ALEC will reimburse \$50 when your accommodations are confirmed.

Note: Member fees are subject to verification

	Early Until 04/06	On-Site Begin 04/07	Amount
<input type="checkbox"/> I have already registered # _____	\$ 150	\$ 150	\$ _____
<input type="checkbox"/> ALEC Legislative Task Force Member	\$ 250	\$ 250	\$ _____
<input type="checkbox"/> ALEC Private Sector Task Force Voting Member			
<input type="checkbox"/> ALEC Legislative Member/ Non-Task Force Member	\$ 400	\$ 500	\$ _____
<input type="checkbox"/> Private Sector Member/ Non-Task Force Member	\$ 550	\$ 700	\$ _____
<input type="checkbox"/> Legislative/ Non-Member	\$ 525	\$ 625	\$ _____
<input type="checkbox"/> Private Sector/ Non-Member	\$ 875	\$ 1,025	\$ _____
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$ 475	\$ 575	\$ _____
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 625	\$ 725	\$ _____
<input type="checkbox"/> Legislative Staff / Government	\$ 400	\$ 500	\$ _____
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0	\$ _____

Promo Code _____

TOTAL REGISTRATION FEES: \$ _____

Note: Registration forms with enclosed payments must be postmarked by **April 6, 2011**, to be eligible for early registration rates. Forms and/or payments received after **April 6, 2011**, will be subject to the on-site registration rate. If registering after **April 6, 2011**, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm **Eastern April 6, 2011** are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm **Eastern April 6, 2011**.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS April 6, 2011

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

☐ I do not require a reservation at this time.

Arrival Date _____ Departure Date _____

☐ Sharing room with _____

Room type

<input type="checkbox"/> Single	(1 person - 1 bed)	\$ 169
<input type="checkbox"/> Double	(2 persons - 1 bed)	\$ 199
<input type="checkbox"/> Db/Db	(2 persons - 2 beds)	\$ 199
<input type="checkbox"/> Triple	(3 persons - 2 beds)	\$ 229
<input type="checkbox"/> Quad	(4 persons - 2 beds)	\$ 259

Government rate

Not Available

* All rates DO NOT include 17% STATE tax/ CITY OCCUPANCY tax. (subject to change)

Suites and upgraded accommodations are available upon request. Please call (800) 221-3531 for additional information.

Special requests

☐ ADA room required:
____ Audio ____ Visual ____ Mobile
☐ Rollaway / crib: _____
☐ Other: _____

METHOD OF HOUSING RESERVATION

☐ Please use the same method of payment as above.

Credit Card: Credit cards will be used to guarantee the reservation.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC and send to above address.

Note: Cutoff for reservations at the ALEC rate is **April 6, 2011**. After **April 6, 2011**, every effort will be made to accommodate new reservations, based on availability and rate.

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Departures prior to the departure date confirmed by the hotel at check-in will result in a charge of early departure fee \$100. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST REGISTRATION FORM

Hilton Cincinnati Netherland Plaza -
Cincinnati, OH

April 28-29, 2011



Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

SPOUSE / GUEST REGISTRATION

SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Last Name _____	First Name _____	Middle initial _____	Badge Nickname _____
Last Name _____	First Name _____	Middle initial _____	Badge Nickname _____
Last Name _____	First Name _____	Middle initial _____	Badge Nickname _____

	Number of Spouse/Guest(s)	Rate	TOTAL
SPOUSE / GUEST REGISTRATION FEES			
<input type="checkbox"/> Spouse / Guest <i>please note name(s) above</i>	_____	\$ 50	\$ _____

METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # _____
☐ Visa Cardholder (please print) _____
☐ MasterCard Exp Date (mm/yy) _____ Security Code _____
Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: If registering after **April 6, 2011**, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation to the address provided above. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm *Eastern* **April 6, 2011**, are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm *Eastern* **April 6, 2011**.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the specific subject areas of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to ~~Task Forces are responsible for developing an annual budgets,~~ which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the jurisdiction of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all model bills and resolutions 35 days before the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have 10 days after the 35-day mailer deadline to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the National Chair and the Private Enterprise Board Chair. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force

Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. The Board of Directors shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.
- D. The operating cycle of a Task Force is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. ~~At the ALEC Annual Meeting, each Task Force will be responsible for determining an operating budget for the succeeding calendar year. The Executive Director will notify the Task Force Co-Chairs, at the ALEC Annual Meeting, what inflation factor will be used by the Task Force to determine the operating~~

~~and programming budgets. Task Force membership and budget information will be reported to the Executive Director by the Public and Private Sector Task Force Co-Chairs. The Executive Director will present this information to the Board of Directors at its regular fall meeting.~~

- F. If a Task Force is unable to develop an operating budget, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- G. The Board of Directors shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two Co-Chairs; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
 - (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and

- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
- C. Each Task Force shall have an Executive Committee appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of subcommittees, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). Advisors shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The operating budget shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a

Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.

- C. The operating budget shall not be used to cover Task Force meeting expenses associated with alternate task force members' participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The programming budget shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative members and three alternates to the Task Force who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the appointment cannot be made earlier than thirty days after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing the Task Force Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but

should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing new private sector members to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the Task Force Private Sector Co-Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.

- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as advisors to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector Task Force Co-Chair from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an Executive Committee or subcommittee from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any Private Sector Task Force Co-Chair from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any private sector member of an Executive Committee or subcommittee from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an advisor from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may resign from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All vacancies for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. Task Force meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII(H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. Executive Committee meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. At least forty-five days prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or amendment of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. All Task Force meetings are open to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.
- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the appointment letter sent pursuant to Section VI(D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.

- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of Roberts Rules of Order, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. No proxy, absentee or advance voting is allowed.
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a Task Force vote by mail or ~~fax~~ any form of electronic communication on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or ~~faxed~~ notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or ~~faxed~~ notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or ~~faxed~~ notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an emergency situation can be declared by:
 - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.

- I. Ten Task Force members shall constitute a quorum for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become ALEC policy either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, a formal review by the Board of Directors. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.
- C. A member of the Board of Directors may request a formal review by the Board of Directors. The request must be in writing and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will consist of key members of the Task Force, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
 - Notification of Committee: Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - Staff Analysis: Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments

- Opponents arguments
- Standardized Review Format: To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.
- Notification of Committee: The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

E. The Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action, or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.